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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,402	09/28/2001	Minoru Shibata	P 283723 T36-137931M/AIO	2355
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McGinn & Gibb, PLLC 8321 Old Courthouse Road Suite 200			EXAMINER	
			SILBERMANN, JOANNE	
Vienna, VA 22182-3817			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES DL. TIMENT OF COMMERCE Patent and Trademark Office

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SFRIAL NUMBER FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO.

Below is a communication from the EXAMINER in charge of this application

## COMMISSIONER OF PATENTS AND TRADEMARKS

## **ADVISORY ACTION**

THE PERIOD FOR RESPONSE:    The period for Response is extended to run		A5 1100111	ACTION .		
b) cyries three months from the date of the final rejection or as of the mailing date of the final rejection.  Any extension of time must be obtained by filing a petition under 27 CFR 1.138(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the tee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.178(1). The date of the originally set shortened statutory period for response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.178(b) the calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.  Appellant's Brief is due in accordance with 37 CFR 1.192(b) and the place the application in condition for allowance:  1. Where is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  2. There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  3. They raise new issues that would require further consideration and/or search. (See Note).  4. They raise the issue of new matter. (See Note).  5. They raise the issue of new matter. (See Note).  6. They raise the issue of new matter. (See Note).  7. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  8. One of the proposed amendment of the proposed amendment cancelling the non-allowable claims.  8. One of the proposed of the proposed amendment of the proposed amendment cancelling the non-allowable claims.  8. One of the proposed of the proposed amendment of the date of the claims will be as follows:  9. Claims gipleted:	THE PERIOD FOR RESPON	VSE:		•	
expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.  Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and also the agreement of the date of the responses of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.  Appellant's Brief is due in accordance with 37 CFR 1.192(a).  Appellant's Brief is due in accordance with 37 CFR 1.192(a).  Appellant's response to the final rejection, filed 1.5.03 has been considered with the following effect, but it is not deemed to palce the application in condition for allowance:  a. M There proposed aimendments to the claim and for specification will not be entered and the final rejection stands because:  a. M There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  b. M They raise new issues that would require further consideration and/or search. (See Note).  c. They raise the issue of new matter. (See Note).  d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: In Claim 19, The Character Andrea Service and Williams and the status of the claims will be as follows:  Claims objected in the proposed amendment will	a) [[] is extended to run	or continues to run_	3 meg. 1	om the date of the final rejectic	an.
Any extension of time must be obtained by filing a petition under 37 CFR 1.135(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.  Appellant's Brief is due in accordance with 37 CFR 1.192(a).  Applicant's response to the final rejection, filed 1.5.03 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:  a. A There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  b. There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  c. They raise new issues that would require further consideration and/or search. (See Note).  c. They raise the issue of new matter. (See Note).  d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: In claim 19, the clause of the proposed amendment of finally rejected claims.  We will be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.  When the filing an appeal, the proposed amendment will be entered the will not be entered and the status of the claims will be as follows:  Claims typicated: The proposed amendment will be entered the will not be entered and the status of the claims will be as follows:  The afficavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because	b) expires three months fro event however, will the s	m the date of the final rejection or as tatutory period for the response expi			
Appellant's Brief is due in accordance with 37 CFR 1.192(a).  Applicant's response to the final rejection, filed 1.5.03 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:  1. If he proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:  2. If he proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:  2. If he proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:  3. If he proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:  4. If he proposed amendment is necessary and was not earlier presented.  5. If he proposed amendment is necessary and was not earlier presented.  6. If he proposed amendment is necessary and was not earlier presented.  6. If he proposed amendment is necessary and was not earlier presented.  8. If he proposed amendment is necessary and was not earlier presented.  9. If he proposed amendment is necessary and was not earlier presented.  9. If he proposed a supplication is necessary and was not earlier presented.  9. If he proposed amendment is necessary and was not earlier presented.  9. If he proposed a supplication is necessary and was not earlier form and or search.  9. If he proposed amendment is necessary and was not earlier form and or search.  9. If he proposed amendment is necessary and was not earlier form and or search.  9. If he proposed amendment is necessary and was not earlier form and or search.  9. If he proposed amendment is necessary and was not earlier for earlier form for search.  9. If he proposed amendment is necessary and was not earlier form for earlier form for appeal amendment is necessary and was not earlier for earlier form for appeal amendment is necessary and was not earlier for earlier for earlier for form for earlier form for appeal amendment is necessary	Any extension of time m The date on which the re purposes of determining	ust be obtained by filing a petition un esponse, the petition, and the fee ha	der 37 CFR 1.136(a), ve been filed is the da	the proposed response and thate of the response and also the	e appropriate fee.
The proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:  a. A There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  b. They raise new issues that would require further consideration and/or search. (See Note).  c. They raise the issue of new matter. (See Note).  d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: In claim 19, the character on Hons they provided on the Utrandication.  Newly proposed or amended claims would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.  We Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows:  Claims objected to:  Claims objected to:  However;  Applicant's response has overcome the following rejection(s):  The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because	Appellant's Brief is due in ac	cordance with 37 CFR 1.192(a).			5, 45010.
The proposed amendments to the claim and /or specification will not be entered and the final rejection stands because:  a. All There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  b. All They raise new issues that would require further consideration and/or search. (See Note).  c. They raise the issue of new matter. (See Note).  d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e. They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE: In Claim 19, the character pattons from provided on the Consideration would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.  Wently proposed or amended claims would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.  Upon the filing an appeal, the proposed amendment will be entered will not be entered and the status of the claims will be as follows:  Claims allowed:  Claims allowed:	Applicant's response to the fi	nat rejection filed \$ 5.03	has been consider	ed with the following effect, but	t it is not deemed
a.   There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.  b.   They raise new issues that would require further consideration and/or search. (See Note).  c.   They raise the issue of new matter. (See Note).  d.   They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.  e.   They present additional claims without cancelling a corresponding number of finally rejected claims.  NOTE:   In claim 19, the character patterns from provided on the utfant' surface would require further search and	_		rill not be entered and	I the final minutes and I	
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Claims allowed: Claims objected to: Claims ejected:    - 16, 19, 20   However;   Applicant's response has overcome the following rejection(s):    The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because	Newly proposed or amend the non-allowable claims.	led daims would	be allowed if submit	ted in a separately filed amend	ment cancelling
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	• •	as overcome the following rejection(s	s):	·	
The affidavit or exhibit will not be considered because applicant has not shown good and sufficent reasons why it was not earlier	The affidavit, exhibit or req	uest for reconsideration has been cor	nsidered but does not	overcome the rejection because	se
presented.	The affidavit or exhibit will n presented.	ot be considered because applicant t	nas not shown good a	nd sufficent reasons why it wa	s not earlier
The proposed drawing correction \( \begin{array}{c} \has not been approved by the examiner. \end{array} \) Spanne Sulkiman.		has has not been appro-	ved by the examiner.	Jane &	llumann
JOANNE SI BERMANN PRIMARY EXAMPLES				JOANNE SILBE PRIMARY EYA	FMANN MINED

PTOL-303 (REV. 5-89)